

# THE DC GAZETTE

50¢

VOL VI NR 1

A MONTHLY REPORT ON THE STATE OF THE CITY

## The abuse of zoning Rent control blues The food tax fight

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# DC GAZETTE

VOL. VI NR. 1 JANUARY 1975

## DC EYE

THE STATEHOOD PARTY IS NOW THE NUMBER TWO PARTY IN TOWN. ADD UP THE VOTES GIVEN GOP & STATEHOOD AT LARGE CANDIDATES AND YOU'LL FIND THAT STATEHOOD GOT 4000 MORE. . . .November figures show less than a 1% increase in local tax revenues so far this fiscal year when compared to the same time last year. Added to large increases in local government costs, this means a major budgetary crisis for DC is here. . . . SALES TAX REVENUE IS UP ONLY 1% THIS YEAR SO FAR. THAT'S DESPITE INFLATION. . . .Joe Yeldell isn't the only high DC official unhappy with the way Walter Washington has treated him.

THERE'S NOT MUCH CHANCE OF A RESOLUTION OF THE SIZEMORE-SCHOOL BOARD HASSLE, SHORT OF THE SUPER'S RESIGNATION OR FIRING. WALTER WASHINGTON'S INTERVENTION DID NO ONE ( ESPECIALLY THE KIDS) ANY GOOD - SIMPLY SWEEPED THE PROBLEMS UNDER THE RUG. MS. SIZEMORE SHOWS NO ABILITY TO WORK WITH PEOPLE. WHILE THE BOARD CAN BE FAULTED FOR HIRING HER, IT SINCE HAS BEEN DILIGENTLY TRYING TO MAKE THE BEST OUT OF A BAD SITUATION - AND GETTING LITTLE THANKS FROM THE PUBLIC IN THE PROCESS. WE SUSPECT THE BOARD IS RELUCTANT TO FIRE MS. SIZEMORE BECAUSE OF THE SUPPORT SHE HAS IN CERTAIN ESTABLISHMENT CIRCLES AND NOT OUT OF ANY HOPE THAT THEY CAN WORK THINGS OUT. . . .The willingness of new council members to stand up to Sterling Tucker is a hopeful sign. . . .NO TEARS FOR THE OUTGOING COUNCIL. ITS FINAL ACTS INCLUDED ONE MEALY MOUTHED BILL (THE BOTTLE MEASURE THAT WON'T GO INTO EFFECT UNTIL ALL THE SUBURBS PASS SIMILAR MEASURES), ONE THAT IT WAS FORCED TO WITHDRAW BEFORE FINAL PASSAGE ( THE SEAT BELT BILL), ONE THAT WAS IMMEDIATELY ENJOINED BY A COURT (ACUPUNCTURE LICENSING) AND ONE THAT RESTRICTS STREET VENDING UNJUSTLY.

The time has come to disconnect Pepco. If you'd like to help, contact People Organized to Win Equitable Rates (that's POWER) at 1779 Church NW. (Lenore Cobley, 232-2534). Pepco has received rate increases totalling 34.5% since 1970. Cash profits have nearly doubled in the same time. . . .SOMETHING YOU DIDN'T KNOW ABOUT HOME RULE: WHEN THE CITY GETS NOMINAL CONTROL OVER CRIMINAL JUSTICE LEGISLATION IN TWO YEARS, EITHER HOUSE OF CONGRESS WILL BE ABLE TO VETO ACTS PASSED BY THE COUNCIL IN THIS AREA. ALL OTHER COUNCIL LEGISLATION CAN ONLY BE VETOED BY VOTE OF BOTH HOUSES.

THE RAZING OF THE WILLARD HAS BEEN BLOCKED BY A COURT ORDER UNTIL AT LEAST JAN. 6 PENDING A DECISION ON A SUIT BROUGHT BY DON'T TEAR IT DOWN. . . .As one of his last acts on the city Council, Ted Meyers has issued a

(PLEASE TURN TO PAGE 9)

## West End, Georgetown and the continuing abuse of zoning

THE ZONING COMMISSION last month approved a rezoning of the West End that opens the way for massive development there as well as for an increase in pressure for a crosstown freeway. (For an analysis of the plan, see the April 1974 Gazette).

The action represented still another case of voluntary landslaughter by the District Building as it forced through a plan of little economic, social or environmental justification. But beyond the planning errors involved, the rezoning - along with the recent rezoning of the Georgetown waterfront - raises serious questions of ethics and behavior on the part of DC officials, the mayor and Sterling Tucker in particular.

Shortly before the Zoning Commission was to vote on the West End, George Bason Jr., a lawyer representing Philip Brown who is a West End land owner who has opposed rezoning, wrote the Board of Elections and Ethics and US Attorney Earl Silbert, alleging that Mayor Washington and Tucker were in violation of section 601(c) of the DC Campaign Finance Reform and Conflict of Interest Act. The section states that "no public official shall \*\*\* receive anything of value, including \*\*\* a political contribution \*\*\* where it could reasonably be inferred that the thing of value would influence the public official in the discharge of his duties \*\*\* or which would cause the total value of such things received from the same person \*\*\* to exceed \$100."

The letter listed a number of alleged violations including the following contributions to Tucker:

- \$1000 from the Industrial Union Dept. of the AFL-CIO, which benefits significantly from the city's policy of heavy redevelopment.

- \$200 from the United Brotherhood of Carpenters and Joiners.

- \$500 from William Fitzgerald, a director of Riggs Bank, which has financed Oliver Carr's purchase of the Sealtest Dairy property in the West End for \$1.5 million and has agreed to further financing in the area.

- \$700 from John W. Lyon, a former director of West End Planning, Inc. (a corporation formed by Carr to promote rezoning in the West End) and a vice president of PMI, which owns parking lots in the West End.

- \$200 from Carr himself, who is the single most important force behind the rezoning and one of a handful of major potential beneficiaries of the rezoning.

- \$1000 from J. Willard Marriott, also a director of Riggs Bank.

- \$500 from Robert Linowes, a zon-

ing lawyer who has testified before the Zoning Commission in favor of West End rezoning.

- \$200 from D.F. Antonelli, owner of PMI.

- \$500 from Leonard Doggett, director of National Permanent Savings and Loan Assn., which has financed Blackie Auger's \$2.7 million restaurant property in the area. Permanent's general counsel is Carr's attorney and his trustee for the Sealtest Dairy site.

In total, more than \$5000 in campaign contributions that may be violations of the DC campaign law - and this only from a preliminary study of campaign finance reports, not including the final report that was due Dec. 10 and not including similar conflicts in the Georgetown waterfront case.

Coming two days before the Zoning

(PLEASE TURN TO PAGE 6)



Sometimes, when people would ask us how we kept putting out the Gazette month after month, we would reply, "It's done with mirrors." Well, the price of mirrors, like everything else, has risen tremendously over the past year. The current recession/depression/rolling readjustment gives us no choice other than to make some fairly dramatic changes in the Gazette and Washington Review. A statement on the plans for the Washington Review appears elsewhere in this issue. As for the Gazette we are cutting out most of our national news and are going to concentrate on DC affairs. Any reader unhappy with this arrangement may have a refund on the subscription balance. But we hope that most will stick by us. We will - for our part - try to return the favor.



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## Rent Control Blues

JOSEPH C. DAVIS

THE rent control law passed in August is seriously threatened by a massive drive by landlords and deliberate inaction on the part of the mayor and other city officials.

The law was enacted largely through the efforts of the DC Public Interest Research Group and other members of the Citywide Housing Coalition. Although not a perfect law and containing some concessions to the real estate industry, it is still of value to renters in these times of severe inflation.

A principal feature of the bill is a 12.32% rent increase limit based on the amount charged in February 1973. A housing rent commission appointed by the mayor was established to settle disputes between landlords and tenants. Four members represent landlords, four the tenants and one neutral appointee heads the commission.

Soon after passage, landlords brought suit against the city claiming that the law generated undue hardships — despite a provision which allows them to petition the HRC when they face great difficulty, plus an allowable raise of up to 125% for "substantial renovation." The city defended the new bill before Judge Luke Moore with all the enthusiasm of a small boy washing out the bathtub for his mother.

Moore's ruling seriously weakened the bill by allowing a landlord who claims undue hardship to raise rents now, after only ten days notice to the tenants. In every case there will be a hearing. If the landlord loses he will be required to make a refund to the tenant. Tenants will be allowed to present their side of the story at the hearing, but many will be ill-matched against highly educated and highly paid lawyers representing the landlords.

Already hundreds of landlord petitions are being filed with the HRC, a grossly underfinanced and understaffed commission. On top of this is the backstage maneuvering by some city officials, including the mayor, to kill rent control by deliberately withholding funds for the HRC and refusing to lend sufficient personnel from other agencies. Only \$85,000 of direct funds, a nominal amount from the Emergency Employment Act and a handful of people borrowed from other agencies are available. In total, less than \$1 per DC dwelling unit is available compared to about \$15 per dwelling unit for the Boston Rent Control Commission.

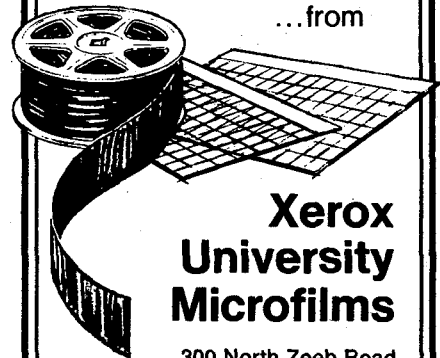
A series of complicated legal maneuvers are now underway — including landlord efforts to scuttle the entire measure and a request from tenants' organizations to intervene and work with the city to retain the provisions originally in the bill.

Tenants are urged to call the Citywide Housing Coalition at 737-3700, the Washington Area Federation of Tenants Associations at 347-3358 or the HRC at 347-4452. Tenants should contact their neighborhood legal services before a hearing takes place. Better yet, they should file petitions on their own if there are violations of building codes to help neutralize landlord claims at hearings.



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The DC Gazette is published monthly except during the summer. We welcome articles and letters of 500 words or less, although we cannot pay for contributions. Our deadline is the second Tuesday of the month for articles and the third Tuesday of the month for ads and announcements.

The Gazette is available by mail for \$6 a year. Single copies: 50¢. Special discounts for bulk copies. The Gazette is a member of the Alternative Press Syndicate.

EDITOR: Sam Smith

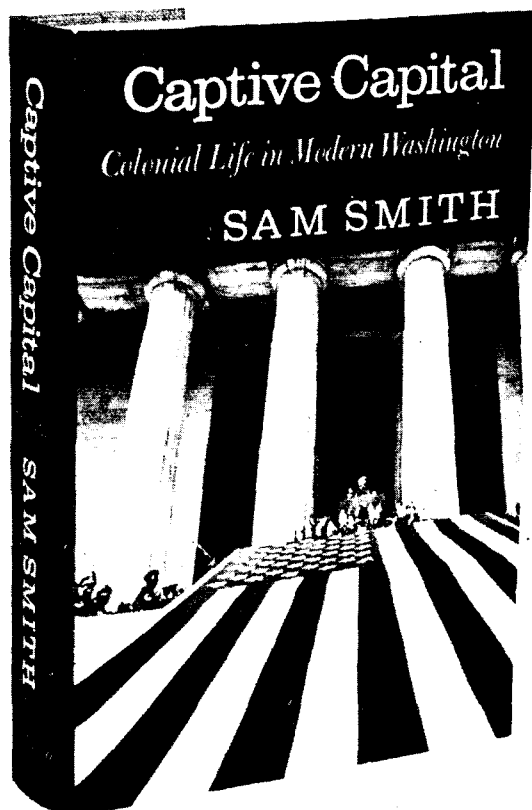
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# important d.c. reading

WE HAVE PUBLISHED our fourth annual Gazette Guide to the city and this one is better than ever. Now on top of the traditional listing of local organizations and media, we've added a general information section including basic census data; information on race, housing and taxes; a bibliography of books about DC; results of past elections; and maps of ward boundaries, taxi zones, zip code areas, service areas and the racial and political composition of the city. No wonder a local utility ordered 18 copies the day after this edition came out. A local law school bought 250 copies. A college professor got 70 for his students.

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## A GUIDE FOR CITY ACTIVISTS



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It is absolutely 'must' reading for all who are interested in this city's history, its political or private life — JAMES TINNEY, WASHINGTON AFRO-AMERICAN

Smith's book is a joy to read — ROBERT CASSIDY, CHICAGO TRIBUNE

Order a copy today. Published by Indiana University Press. \$8.50. DC residents add 43¢ tax.

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DAVE PARIS, head of the Ecology Center, has come up with an idea for discouraging housing speculation. He proposes a high rate of capital gains tax on houses sold after being held only a short period of time, with a declining tax rate for homes owned a longer time.

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## The Sunshine Law

THE HOME rule law has a version of what is commonly called a "sunshine" provision. Many states now have such a law to help bring public business out from behind closed doors and into the public. But how effective will DC's sunshine law be? According to our analysis, the law falls considerably short of standards that have been set by other localities. Here are some of the more important provisions in other sunshine laws and how the DC rule measures up to them:

1. It should set a maximum time (the Pennsylvania law says 30 minutes) on executive sessions to consider personnel matters and labor negotiations. The DC law has no such provision. This is a significant failing since governing bodies traditionally use the cover of personnel meetings to hide other business being transacted in private. For example, when the DC Gazette forced the opening of the City Council's Monday morning planning meetings, council chairman John Nevius merely scheduled regular personnel meetings after the open session. With a small staff and little turnover, something other than personnel matters was obviously being transacted. The public part of the Monday morning sessions became as much of a sham as the regular council meetings.

2. It should apply not only to the city council and executive departments, but to appointed bodies and committees, special task forces, neighborhood councils, and city-aided agencies like UPO, Model Cities and the DC Bicentennial Commission. Just where the line is drawn in the DC law is not entirely clear but the law does not cover task forces, UPO or the Bicentennial Commission.

3. It should provide provisions for injunctions to be brought against an offending body or individual by any citizen. Not in the DC law.

4. It should make actions invalid if not taken at a public meeting. The DC law says such actions will be "not effective."

5. It should provide penalties in the form of fines etc. for violations. The DC law does not.

6. It should require minutes of all public meetings to be taken and made available. The DC law calls for transcripts, but not minutes.

7. It should require that all public meetings be held at specified times and places of which public notice has been given. Not in the DC law but presumably the notice requirements of the Administrative Procedure Act applies.

A LOT of people in the statehood movement favor the name "Columbia" for the 51st state. But someone the other day suggested to us a simpler name, less pompous and rooted in local tradition. To many residents, Washington is, was and always will be just plain old "DC" (or as Jet Magazine calls it, "Dee Cee"). We kind of like it.

## DC's Madness Establishment

THERE'S A NEW BOOK out called "The Madness Establishment" that includes a chapter on mental health programs in DC. The book is one of the Nader series and was authored by Franklin Chu and Sharland Trotter. It's published by Grossman.

The chapter concludes: "Blacks now dominate the Department of Human Resources, but there is little evidence that they are any less directed than their white predecessors to bureaucratic empire-building or any more committed to the provision of human services. And with the increased demand for psychiatrists on the part of the black middle class, there is always the retreat into private practice when the system becomes too much for the few who do care. The poor, meanwhile, without a voice, are hidden in the back wards of St. Elizabeths Hospital and in the 'back wards' of the ghettos in the nation's capital.

"Although the District of Columbia has been proclaimed a 'national model' of just about every federal program that has addressed itself to a social challenge. . . the harsh conditions under which the poor continue to exist point to a reality that is, if anything, a model of racism, exploitation, and the arrogance of power."

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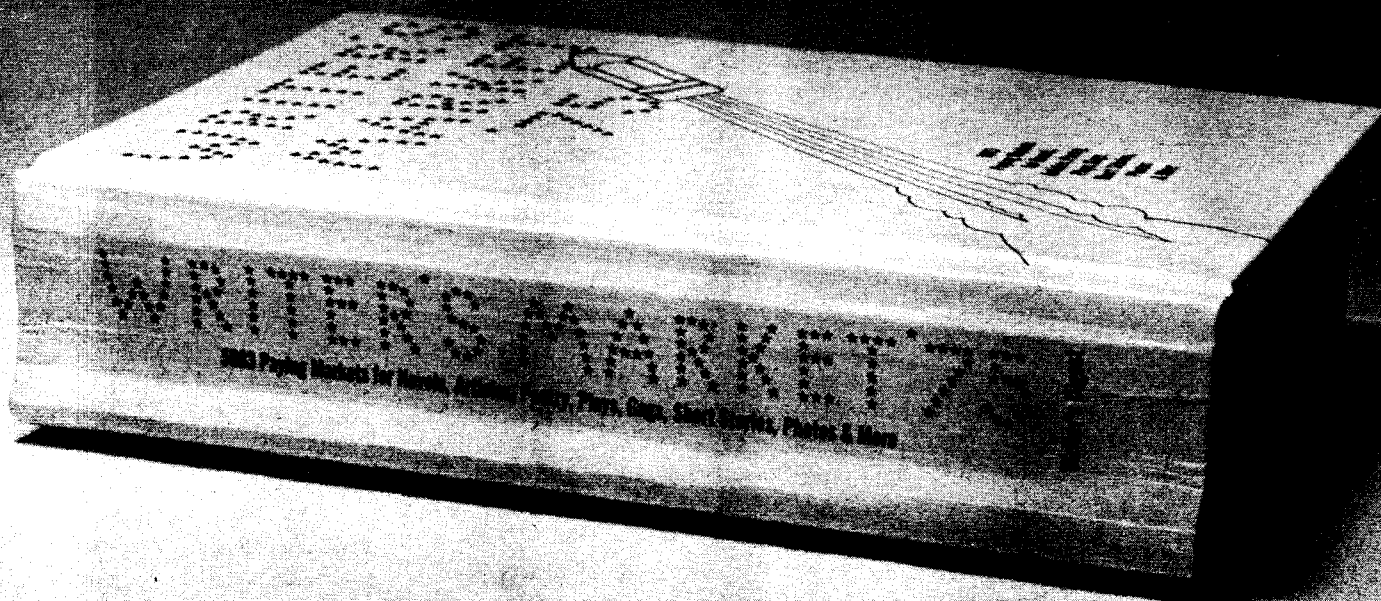
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## ZONING CONTINUED

Commission (of which Washington and Tucker were members) was scheduled to vote on the West End, the charges brought the rezoning steamroller to a temporary halt. Another section of the same law requires that officials under investigation remove themselves from influence over contested actions and decisions in which there is a conflict. The commission cancelled its vote and awaited a decision from the Board of Elections. There the matter was turned over to the new campaign finance overseer, Carl McIntyre, an ex-welfare snoop and minor District Building official who has been given the responsibility of supervising the city's campaign ethics.

There were a number of ways that McIntyre could have carried out his duties. The most logical would have been to conduct a preliminary investigation to check the Bason/Brown charges and to inquire of other Tucker and Washington contributors what connections they might have with the West End. If McIntyre had wished to be thorough, he would also have checked into contributors with connections to the Georgetown waterfront, since this was a parallel case only recently decided by the commission.

Such an investigation would have taken a matter of weeks at the least, and would have represented the bare minimum of the board's responsibilities at that point.

## FURTHER DEVELOPMENTS

After this article was written there were several developments pointing to still more conflicts in the city's zoning practices:

- The Zoning Commission, upon the motion of Sterling Tucker, approved the rezoning of an area around the 14th & Penna. Ave. SE subway stop for 90' highrises. On September 9, one of the owners of the land that was rezoned, Capitol real estate dealer Beau Bogan, contributed \$250 to the Tucker campaign. This was one day before the Democratic primary in which Tucker was unopposed. Asked about the contribution, Tucker told us, "I don't know who my contributors are."

- It develops that the staff of the Zoning Commission has had ex parte contacts with interested parties in the West End case since the official hearings. In two instances during a session to discuss amendments to the West End plan approved earlier by the Zoning Commission, reference was made to such contacts and in one case, a request by rezoning opponent Philip Brown's lawyer, a rewording of a section of the new zoning text apparently resulted. In the other case, reference was made to an owner who had called to express concern that apartment zoning be approved for his area since he had a buyer interested in such zoning. This telephone call was reported to the commission by OPM deputy director Kirk White. White feels that such contacts are legal, indeed desirable, to keep interested parties informed on developments in zoning cases. He told us that a memorandum of conversation is kept on all such contacts. On the other hand, those who make such post-hearing contacts with the Commission or the staff

Instead, McIntyre bucked the matter over to the board's counsel who ruled in slightly over a week that another section of the campaign law permitted \$1000 individual contributions and that the conflict section was subordinate to it. McIntyre made no effort to investigate the charges themselves. He was unable to explain to the Gazette what sort of campaign contributions would be covered by the section in question.

Creative contortion of the election law has been one of the hallmarks of the Board of Elections. It came as no surprise, yet in this case it was particularly significant. For the first time, the board had the opportunity to set a high standard for ethical campaign financing, but chose instead to sweep the whole matter under the rug. It hid behind a contrived, artificial conflict in the law to avoid dealing with the obvious conflicts of interest the law was designed to correct. As matters stand, section 601(c) has been effectively nullified as far as political contributions are concerned.

But Brown and the opponents of the Georgetown rezoning do not intend to let matters stand. A law suit will probably be filed this month alleging both conflicts of interest and failure to comply with the home rule act in the Georgetown case. Brown also plans to keep pressing his case against West End rezoning.

The critical question is whether payola planning will become institu-

(PLEASE TURN TO PAGE 10)

are at an unfair advantage compared to those who believe that public testimony ended with the public hearing.

- As of four years ago, according to court records, Zoning Commission chairman John Nevius owned over \$8,000 worth of Riggs Bank stock. This is over the limit permitted by law (\$1000) without disqualification in cases such as the West End decision. The revelation came while we were on deadline and it is not known whether Nevius still owns the stock. He claimed to have been surprised that he had owned the stock in 1970 and that all stock transactions are handled by advisors without his oversight.

- Further, the original plan for the West End was developed by a staff of three persons working under a grant from HUD for the Office of Planning and Management. The Deputy Assistant Secretary of HUD for the area that the grant came under was at that time, yes, Jack Nevius.

- In its first report on the West End, the OPM listed the Lincoln Civic Association as "the principal citizens' voluntary association in the West End." According to a motion filed by the president-elect of Lincoln Civic on Dec. 19 with the commission, testimony supporting rezoning on behalf of the association misrepresented its position. Said president-elect Richard Nugent: "The Lincoln Civic Association does not consider it in any way desirable or urgent that the West End be rezoned." He also said that at no meeting had the testimony of Michael Klein been presented or approved.

There undoubtedly will be more to all of this next month.

## Profiting from Abortion Referral

DEBORAH JACOBS

MANY of the abortion referral agencies in the Washington area are profiting from the fear and ignorance of the women who turn to them for help. In an article in the October 27 Baltimore Sun, Mark Reutter reported that abortion referral agencies in this area are unregulated except for a requirement that they be non-profit and that they may overcharge women while sending them to clinics that are inferior.

Greta Minsky, a counselor at the Baltimore People's Free Medical Clinic, went to one of the these agencies after hearing complaints from Baltimore women. At the Institute for Family Services, Inc., she was told that her sample of urine showed a 75% to 85% chance of pregnancy and was referred to the DC Family Medical Center. Ms. Minsky knew she was not pregnant. At the clinic, run by Dr. Juan Moozo, she was strapped to the examining table for the pelvic exam and offered an injection of demerol — a synthetic narcotic. After leaving in disgust, she found that Maryland has no regulations covering the operations of referral agencies. Dr. J. King Seeger Jr., chief of the maternal and family planning section of the Maryland department of health, told Reutter: "Under the law, an abortion referral agency is not required to register with the state health department or state medical society. The law does not set medical standards for abortion referrals or require a minimal level of medical training for staff members." Agencies are required to be non-profit, but even this is unenforceable because there are no penalties for violation and no state agency has policing power for the regulation. Reutter said that the Baltimore state's attorney's office has begun an investigation into referral agencies after years of urging by the Planned Parenthood Association of Maryland, but there are no results from this investigation yet. Francisco P. Ferraccio of the Medical Society of DC told Reutter that because the society does not have the power to suspend a doctor's license it has no legal power over abortion clinics and the DC government has taken no action to regulate referral agencies or clinics.

Where can a woman go for help if she wishes to avoid these referral agencies and clinics? The Women's Health and Abortion Information collective can provide information about area clinics they have visited and evaluated. Planned Parenthood offers problem pregnancy counseling and referrals, again only to clinics it has investigated. Free clinics and health departments provide pregnancy testing and counseling, often without charge. No woman need rely on the Yellow Pages in choosing her medical care, but many still do, and for that reason it is vital that referral agencies be regulated so that only truly non-profit service is offered by trained personnel.





# flotsam & jetsam

WE RETURNED home from a trip out of town over Thanksgiving to find our street blocked by a police car. It was evening and the only light came from the flashing light on top of the car and from several other flashers about two blocks further up the street. There were no street lights, no lights in any of the houses.

It was raining and windy. If it had been colder the rain would have been snow and we would have been under eighteen inches of it before the storm stopped. It was the same storm into which a 747 had flown earlier that day to end up sprinkling itself and its passengers over a Virginia hillside.

On our street just an old oak of a neighbor's had blown over and was blocking the road. It brought electric wires down with it, I made my way through the darkness, avoiding the side of the street where the wires lay, entered my house and tried to find our sole flashlight. It wasn't where it normally was, so I fumbled to the dining room table and lit a couple of candle stubs, then went back to get the others.

The temperature was mild and the house had only a slight chill about it, but we lit a fire and sat around it and relaxed in the quiet warmth that comes with the absence of technological comfort. If the lights had been working we would have been doing something: unpacking, paying a bill, watching the television that now sat useless next to the fireplace.

If the power had stayed off through the next day, we would have started complaining, no doubt, but as it was we had been given a respite from the pressures created by inventiveness and mechanical progress — which we celebrated with a drink and popcorn by the fire. The thought flickered with the flame that no machine had been invented to give us tranquility. Machines tend to do the opposite. Designed to conserve human energy, they play a trick on us and create new demands for our energy. Invent the wheel and you have to go someplace. Provide electrical outlets and you must find something to plug into them and then turn them on and off. But let the machines break down and it is as if someone has said, "You can stop running now." You sit, listen, look, think, or as Don Juan taught Carlos Castaneda, "not-do." It's rare these days. It takes a windstorm or a blizzard to slow things down to the point that the city can be observed and felt as well as used. You can pay a hundred bucks or more and fly away from the machines on one of the biggest machines of all. Or drive for hours in the opposite direction from the technological triumphs we spend our working hours making, maintaining or consuming. Or you can go down in the basement, pull the fuse, then call your own number on the phone to transmit a signal to the world that you are too busy to talk to it. But we'd rather leave town. We can't stand having the devices of modern society and not use them.

It's not that we should be at war with technology. It's a question of who serves whom. I love machines too much to turn my back on them. I watch Channel 20 just to see the gadget ads. If I

moved out to the country, I would have to take my electric typewriter and my icemaker with me and the field gates would soon work by remote control like garage doors in the suburbs.

Conversely, however, here in the city I am writing this with the phone ringing a busy signal into a pillow. I have lately started jogging and biking more. And when the telephone company wanted \$30 to put a superfluous piece of equipment on my answering device at the office to make it "conform to company standards" plus four dollars a month to maintain conformity, I just disconnected the thing and when people complain they can't get hold of me, I only feign concern. I guess I may give in and get it fixed by and by but like the sign on the shop I saw in Wiscasset, Maine, last summer I am now open "by appointment and by chance."

Having decided sometime ago that I did not wish to leave the city except for vacations, I have found myself gradually trying to find ways to make the less attractive aspects of urban life drop out of mine, rather than dropping out myself. It's not easy but I've had enough success to continue.

Part of the trick involves apply rural practicality to urban problems. In the country you can't afford to do things without a reason. In the city people constantly do things that lack practical justification. So when I started using a back pack instead of an attache case, for example, I found the city opening up. It was easier to get places by bus or by foot, especially during rush hour. Shopping and walking became more pleasant.

Another part involves breaking up the urban routine. I would imagine that the vast majority of city workers get to work the same way every day. One day a week now I drive to work. The other days I run, bike, take a bus or a taxi, depending on weather, time and my mood. Not only have I become multi-modal, I am also multi-directional. The bus takes me down U Street and New Jersey Avenue, running takes me down Mass. and Connecticut. The taxi threads its way through downtown and my bike takes me through the park. The business of getting to and from work is no longer a dull one, but an affair of considerable variety.

I am still a neophyte at all this. You don't let a city run your life for more than three decades and then suddenly seize control. But I have made a great leap. I no longer consider myself a part of the city in the sense of being one of its bloodcells or 736,000 subunits, but rather an individual making his way through the city as I would through a woods. It is my environment and not my master. We are developing an ecological rather than an administrative relationship. In the process the city is becoming a more interesting and friendly place.

THIS TREE business is serious, as I was pointed out by the man who removed a limb that had snapped in the same storm and was wavering wantonly above our roof for several days. He says the big old tree in our back yard has a terminal disease. He doesn't take down big old trees so he's got no vested interest in the matter. We do, however, and it's going to be sad, not to mention expensive, to take it down. Like the oak up the street, it's one more indication that some of the beauty of the city is getting tired.

Just like the water mains that seem to be busting with increasing frequen-

cy. Under a strange city law, the bill for repair goes to the homeowner who has to shell out as much as several thousand dollars on a few days notice or have the water turned off. One of the mains burst on our street a few months back. I went up to look at it and found a water department man sitting in his truck cab peering at a map of the system. "How old's this main?" I asked. He checked the map for a few minutes and said, "Looks like it was built in 1646." I asked to look at the map. There was a '1646' on it but there also was a more promising '1905.' "I think this is it — 1905," I said. "Nope," he assured me, "it says here 1646."

Anyway, many of the water lines, like the trees, are a product of a time when cities were not afraid to make small plans — like plant trees, put in street lighting, good water service and pavements. That's no longer the fashion. If you can't tear down the place and start all over, it's not worth doing. So we have Georgetown water-fronts and West Ends and Pennsylvania Avenue plans concocted at great public expense, while homeowners get the bill for failure of a 70-year-old water main. As for the trees, the art of planting any that will rise to maturity appears to have been lost in these parts — at least to the Highway Department whose responsibility it is (which always seemed to me like putting the city coroner in charge of DC General's emergency room).

The problem in part is that many of those in the District Building who handle such matters appear unable to conceive of the city in terms other than a source of tax revenue and a generator of corporate profits. There are other functions of the city, such as being a home and a place, and one of the responsibilities of city government should be to keep the place fixed up and to make it more liveable.

But nobody seems to give much of a damn about that down at the District Building. They're too busy trying to squeeze bucks out of a turnip. Ironically, if they spent more time on the amenities of the city and less on grandiose and absurdly expensive buildings and development schemes, they might ease their financial problems as well as make the city a happier place. The city council might start the shift by demanding that there be no new rezoning or other developer subsidies until every playground is fixed up and every school window repaired.

Meanwhile, the trees are going to keep falling and the water lines breaking. And when it's too late, someone is going to notice that no matter how much money you've allocated, it still takes fifty fiscal years to grow a fifty year-old tree.

PERHAPS HAVING the Chinese around will increase our respect for time. The first of the Chinese I saw was a man buying what seemed to be an extraordinary amount of peas at the local supermarket. I noted as he handed the check-out clerk his sales tax exemption card that he was from the People's Republic Liaison Office. Having been denied my whole life (thanks to Bricker, Nixon, Knowland, McCarthy et al) the opportunity to meet a citizen of the People's Republic, I felt awe towards this stranger such as I never thought I would in this well-traveled time. But here he was — the first of the Terrible Chinese of my youth — buying peas at my Giant. I think I stared.

(PLEASE TURN TO NEXT PAGE)



By the time the National Gallery got around to hosting the Chinese archaeological exhibition the awe had waned but the mystery remained. When a secret service agent explained to me that the man he was hovering over with such conspicuous discreetness was the minister of cultural affairs I lost all interest in the bronze urns and followed the live exhibit for several rooms.

China isn't just another country but a massive chunk that has only recently been restored to the American globe. We haven't figured out yet how to fit the Chinese into things. To do it too fast, too gracefully, is to admit that we've been awfully wrong for a long time. Our governments don't like each other, our economic and value systems are startlingly at odds and our cultures clash in age, size and temperament. We must back in.

Given such obstacles, the National Gallery performed a substantial coup of conciliation. Under the cover of non-partisan refinement, it has brought Americans face to face with the folly of our past policy towards China. If any of the legislators present at the congressional preview had paused talking long enough to drink in what was there, it should have been a humbling experience — a measure of how great has been our willingness to remain ignorant.

No one's going to admit they were wrong. Certainly Nixon didn't. He took credit for opening up China with such verve that most quickly forgot that he had been one of the main reasons it hadn't been opened up before. But that's all right. The problem is to get over the remaining hurdles. And to their credit, the thin cheeked, dainty-tongued guardians of the National Gallery have shown more aplomb in greeting the Chinese than have the politicians and the press.

In fact, the only flap in the initial days of the show came thanks to a wonderful meeting of the minds of some Chinese politicians and some American journalists. The gallery had cancelled at the last minute a press preview because the Chinese were unwilling to let in reporters from several countries they don't care for. A few of our more eminent editors responded by boycotting a formal dinner given by the gallery to celebrate the opening.

It was all in the great Cold War tradition, which was suitable since the press is one of the few major American institutions that still believes in the Cold War. In fact, I suspect that some day a revisionist historian will reach the conclusion that the Cold War was not the fault of Harry Truman and John Foster Dulles at all — but rather the product of the press's need to promote comprehensible opposites in constant conflict.

Anyway, after all these years of informing the American public that the Chinese were not to be trusted and that it was better for us not to know anything about them, it is not surprising that the press should try to make the point one last time. It would have been more convincing if the Times and the Post had been as assiduous in protecting the rights of American alternative journalists denied access to the White House and congressional galleries and abused by the authorities as they were in looking after their fellow journalists from Taiwan, or Free China as we used to call it in the good old days.

But the gallery keeps its cool; the Chinese contrary to the impression given by some media showed more res-

traint in propagandizing than the typical American patriotic display and the exhibition itself carried the day — or approximately 600,000 years to be more exact.

A few days before the exhibition opened, UN Ambassador John Scali berated the General Assembly majority for its "tyranny," a majority that happens to be heavily black, brown and yellow. I hope he gets to see the show.

FINALLY, LET'S pause for a moment to think kindly of Wilbur Mills. His decline reminds us how swiftly Congress can act when presented with a moral issue it can understand. It took two years for the Watergate scandal to stir Congress to decisive action. In the case of Nelson Rockefeller, Congress showed its moral indifference to the usurpation of other governments, to murderous assaults on prisoners, to scandalous propaganda against opponents, and to the purchase of elections and officials. But let a man get drunk in public and appear on stage with a stripper and Congress knows where to draw the line. Imagine how quickly the Watergate affair might have ended, if only one of the participants had shown a mild interest in sex.

Now Mills is sick and alone. I had hoped that he had acted out of conviction, desire and contempt for the rules of the game. Not it appears he had problems. It's too bad, for in his actions was a message — the cry of an old politician towards life and humanity, not the easiest qualities to find on Capitol Hill. It was a nice try, Wilbur. Sorry you didn't make it.

— SAM SMITH

## The Food Tax

MARK LOONEY

FOR the past 19 years, residents of Columbia have been subject to a sales tax on two very essential items: food and nonprescription drugs. Originally levied as a 1% tax in 1955, Congress increased the amount to 2% in 1970. The newly elected city council has the power to replace the tax with something more progressive. A grassroots movement to abolish this tax, especially in the midst of an economic crisis and skyrocketing food prices, could result in victory.

Columbia is one of the few places in the country that allows food and drugs to be taxed. Several states have enacted laws to prohibit any such tax. Voters in Michigan last November approved an initiative to repeal their 4% state food and drug tax. In Missouri a similar drive is underway.

A food and drug tax burdens low income residents more than wealthier folks. Inflationary food prices aggravate the situation even further for poor people. There is a token rebate system included in the present system, under which income tax deductions can be taken. But a family of four which makes \$4,000 and spends half of it on food pays over \$41 in sales tax while receiving a rebate of only \$8. Further, many low income people fail to apply for the rebate. Meanwhile, Joseph Danzansky reports that Giant's profits have increased 76%.

Approximately \$6.3 million is generated yearly by the food and drug tax. Numerous possibilities exist for its replacement. Several states, including Massachusetts and Ohio, have taxes on

intangible property such as stocks and bonds. A surtax could be levied on income from investments, annuities etc. [See DC Gazette, Jan 1974, page 11]. If inheritance taxes were doubled, the amount generated would equal roughly the loss of the tax on food and drugs. Vermont and Connecticut have taxes on land speculation — certainly prevalent in our city. If Pepco were municipalized, as Cleveland and Los Angeles have done with their electric companies, the revenue now paid to stockholders would triple the present amount raised by the food and drug tax. A commuter tax is another possibility, although Congress has refused to give us this alternative for the present.

Opposition to the food and drug tax has been building over the last few years. Since its creation, the DC Statehood Party has called for abolition of the tax. Julius Hobson Sr. and Dave Clarke were both elected to the council on platforms that included repeal of the tax. Two food stores in Adams-Morgan have jostled with the government over payment of the tax. Patrick Dwyer, owner of Home Rule Food Store on Columbia Rd., began placing collected tax funds in an escrow account two years ago due to his hatred of the tax. The District government collects the withheld money plus a penalty from Patrick who says, "If I were a rich man, I would pay the tax myself and not collect it at my register, but what I do now is all I am able to do in a peaceful manner." Fields of Plenty, an anti-profit worker/community food store around the corner from Patrick, joined his protest when the store opened last February. This October the District government threatened to close the store and sell the equipment for the \$3000 placed in escrow by the collective in the People's United Community Credit Union. Fields had a press conference on October 29 to protest the tax and the government's action. The conference received good TV coverage but no Star or Post.

On November 1, representatives from the stores and the Adams Morgan Organization visited Mayor Washington's office to protest and present the check under protest. From all these activities, the DC Coalition to Repeal the Food and Drug Tax has been formed and is holding regular meetings. Additional support is being sought from neighborhood associations, churches and other organizations. A petition drive is underway.

While our economic system needs to be changed to eliminate poverty, we can at least in the meantime allow the poor to eat more and tax the rich. If you want to help pass petitions, offer the endorsement of your group or get involved in other ways contact the Coalition at 332-2628 or 387-5760.

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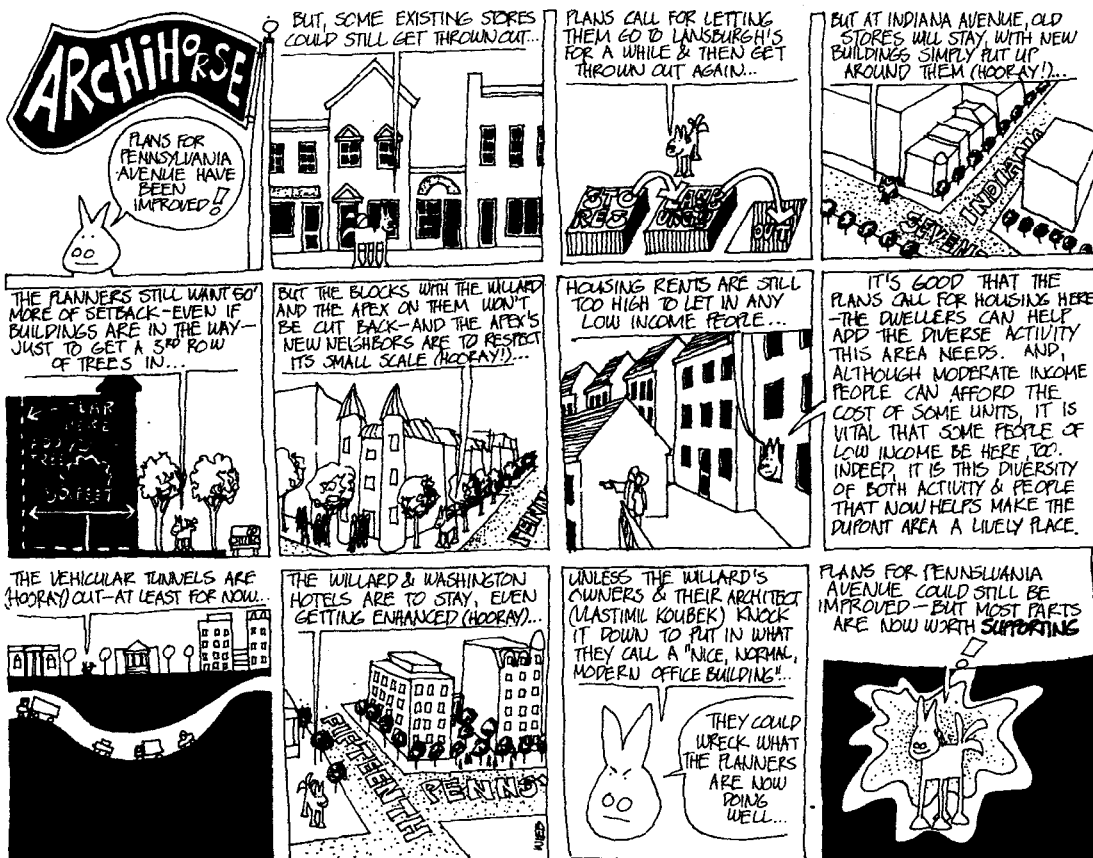
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report on rape and the handling of rape victims with 53 recommendations. . . . THE GAZETTE MONTHLY AWARD GOES TO JERRY MOORE FOR HIS DEFENSE OF THE LAME DUCK CITY COUNCIL'S LAST MINUTE RUSH OF LEGISLATION: "AN APPOINTED COUNCIL DOES NOT HAVE TO BE RESPONSIVE TO ITS CONSTITUENCY, AND A LOT OF THESE REGULATIONS COULD NEVER BE PASSED BY AN ELECTED COUNCIL."

### THE FRED HARRIS CAMPAIGN

If you are interested in helping out in the Fred Harris presidential campaign, you can contact it at 1104 Waverly Way, McLean, Va. 22101. Telephone 356-1670. National coordinator is Jim Hightower, who longtime Gazette readers will recall as a former contributor to this publication.

The DC Court of Appeals, which is not one of our more enlightened centers of justice, set a new record last month with its ruling that gave the go-ahead for the demolition of the Willard Hotel on the grounds that the current law only covers alteration — not destruction: "Demolition of the hotel's facade would not alter it — the facade would be obliterated." Another court has delayed the razing. . . . THERE WILL BE A FORUM ON NEIGHBORHOOD COUNCILS AS PART OF THE ANNUAL MEETING OF THE METROPOLITAN WASHINGTON PLANNING & HOUSING ASSN. ON JAN. 11, TEN TO TWO AT THE 1ST CONGREGATIONAL CHURCH, 10TH & G NW. INFO: 737-3700.



WONDER IF THE MAYOR WILL ACT FAIRLY AND APPOINT A MEMBER OF THE STATEHOOD PARTY TO THE VACANCY ON THE ELECTIONS BOARD. . . There were once 40 Hot Shoppes in the area. Now there are only 20 and eight more are slated to go, beginning with the one on upper Connecticut, where the land has been sold to the National Bank of Washington for an operations headquarters. The upper Wisconsin one will stay open. Marriott is switching over to the more profitable Roy Rogers chain. Happy trails, pardner. . . THE OFFICE OF PLANNING AND MANAGEMENT, WHICH HAS BEEN PAYING ELEVEN OF ITS PLANNERS OUT OF

MASS TRANSIT FUNDS (SO THAT'S WHY THE BUSES DON'T COME) IS GOING TO RUN OUT OF THE FEDERAL MONIES JAN. 1. OPM BOSS BEN GILBERT SAYS THE PLANNERS WILL STAY IN BUSINESS. OPM DEPUTY DIRECTOR KIRK WHITE WARNS, THOUGH: "THIS COULD MEAN A SERIOUS CURTAILMENT OF NEIGHBORHOOD SECTIONAL DEVELOPMENT PLANNING THROUGHOUT THE CITY." SOUNDS LIKE A GREAT IDEA.



## Swampoodle's Report

In honor of the new Washington-Tucker administration, I have named myself colonial poet laureate and have prepared the following partially plagiarized inaugural lines:

The walrus and the carpenter were walking close at hand;  
They wept like anything to see such quantities of land.  
"If this were only cleared away," they said, "it would be grand."

"If seven pols with seven plans reviewed for half a year,  
"Do you suppose," the walrus said, "that they could get it clear?"  
"I doubt it," said the carpenter, and shed a bitter tear.

"O citizens, come walk with us!" the walrus did implore,  
"A pleasant talk, a pleasant balk outside the inner door;  
"We'll listen to just five or six to make your thoughts mean more."

The eldest voter looked at him but no word from that source;  
The citizen just winked his eye and coughed a cough quite hoarse.  
Meaning to say he did not choose to join one more task force.

But four young voters hurried up all eager for the show.  
Their coats were brushed, their faces washed,  
Their shoes in pairs aglow,  
Which wasn't odd, because, you know,  
They were so soon to go.

Four more citizens came next and yet another four  
And thick and fast they came at last and more, and more and more—  
All hopping through the corridor and scrambling to the door.

The walrus and the carpenter planned six blocks or so  
And then they rested on a rock conveniently low:  
And all the little citizens stood and waited in a row.

"The time has come," the walrus said, "to talk of many things,  
"Of FARs and PUDs and densities and inner traffic rings  
"And why the waterfront's so dead  
And how to give it wings."

"But wait a bit," the voters cried, "before we plan anew,  
"For some of us the rent's been raised — for some the tax is due."  
"No hurry!" said the carpenter. They said to him, "Thank you!"

"A better mix," the walrus said, "is what we chiefly need:  
"And tax base growth besides is very good indeed,  
"Now if you're ready, voters dear, we can begin to feed."

"But not on us!" the voters cried, turning a little blue,  
"After such kindness, that would be a dismal thing to do!"  
"The plan is fine," the walrus said, "Do you admire the view?"

"It seems ashame," the Walrus said, "to play them such a trick  
"After we've brought them out so far, and made them trot so quick."  
The carpenter said nothing but "The parking's spread too thick."

"I weep for you," the walrus said: "I deeply sympathize;  
With sobs and tears he sorted out those of the smallest size,  
Holding his pocket long range plan before his streaming eyes.

"O citizens," said the carpenter, "your input has been fun!  
"Shall we be trotting home again?" But answer there came none —  
And this was scarcely odd, because They'd evicted every one.

*Josiah X. Swampoodle*  
Purveyor of split infinitives for more than three decades.



## ZONING CONTINUED

tionalized under the home rule government. When disc jockies took payola many of them, as well as the record companies, looked upon it as an industry custom and not a bribe. Similarly, those involved in the current zoning scandal can argue correctly that what is involved falls far short of political bribery (just as Rockefeller did in justifying his payola to Morehouse, Kissinger and Ronan).

Nevertheless, bribery is not the only way that money is improperly used in politics. Section 601(c) is obviously designed to eliminate some of those other ways including what might be called tainted generosity, in which there is only the appearance of potential conflict. If section 601(c) is nullified, the board will be faced with deciding only when a conflict has drifted into a payoff. If section 601(c) is upheld, as it should be, the board will be able to step into potentially dangerous relationships before they develop to that level.

Even after the board's ruling, Walter Washington was unnerved enough to absent himself from the vote on West End. Sterling Tucker was also absent. But they have already voted on the Georgetown case, which a court may find to be a similar conflict of interest.

If the campaign finance law were strictly observed, developers, bankers, zoning lawyers and others with direct interest in zoning and planning decisions would be prohibited from giving more than \$100 to candidates. The effect could be profound. It could be argued that the massive, unhealthy influence of developer/finance contributions made the difference in the Washington-Alexander race and was sufficient to discourage Marion Barry from running against Tucker.

Unfortunately, laws like section 601(c) can only deal with a part of the rotten relationship between government and urban exploiters. How do

we deal with the inherent conflict involved in having a US vice president who is connected with the Equitable Life Assurance Society which in turn is involved in the West End, Pennsylvania Avenue and the financing of Oliver Carr's multi-million dollar International Square project on K Street? How do you deal with a District Building mentality that gives developers like Carr relief from zoning laws for building near a Metro station? How do we deal with Carr's rapidly expanding empire that runs from the Occidental on Pennsylvania Avenue to International Square to the Sealtest Dairy site in the West End? Are we moving towards a one-company downtown? How do we deal with the Office of Planning and Management's multi-faced role as shill for developers, staff for the Zoning Commission and advisor to the mayor? If developers talk to OPM officials, does that not amount to improper ex parte contact with the commission? As one lawyer put it, "It's no less improper to approach the judge's law clerk than it is to approach the judge." Finally, can we control the arrogance of high DC officials who appear to feel immune from ethical considerations because of their large electoral mandate? How do we make Sterling Tucker understand that even if it's legal you shouldn't go around accepting \$3500 loans from a former official of Georgetown Inland Steel a month before you vote on Georgetown rezoning or appear on the same platform with the vice president of Georgetown Inland, the night before the vote is taken, discussing the future of building in DC?

Certainly with a press that is unwilling to question and without a independent local prosecutor, it's going to be difficult.

In the meantime, we can expect the dominant attitude of big money campaign contributors to be that so frankly expressed last May by James Clark, the president of the Metropolitan Washington Savings and Loan League:

"In many cases, the victory goes to the man with the most financial backing, regardless of his capabilities to fill the office for which he is running."

Because of this, Clark said S&L officers "should individually contribute to the political party - or to the candidate - of our choice. . . It is probably true that savings and loan executives throughout the country have

never fully participated in this matter of campaign participation. But I submit that we should as part of our civic responsibility. We can only get what we work to achieve."

## GAZETTE SERVICES

YOU may use the facilities of the DC Gazette when not otherwise occupied for \$3 an hour. Paper, ink and stencils not included. Our facilities include:

- Two Selectric II typewriters with a carbon ribbon.

- Two layout tables with waxers, border tapes and layout paper.

- A silk-screen type electric mimeo.

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Or if you prefer, we'll be glad to do your job for you. Sample prices:

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IF you are a federal or DC employee and are interested in becoming active politically here, you will be interested in a ruling from the Civil Service Commission's general counsel that permits government workers to take part in the DC Statehood Party - the only major local party exempt from the Hatch Act limits on participation. For a free copy of the letter send a stamped, self-address envelope (business type) to Hatch Act, DC Gazette 109 8th NE DC 20002.

TRANSACTIONAL ANALYSIS on the Hill: Weekly problem-solving groups and individual sessions. Moderate fees. Call Lucy at 547-5248

## A Letter From the Review Staff

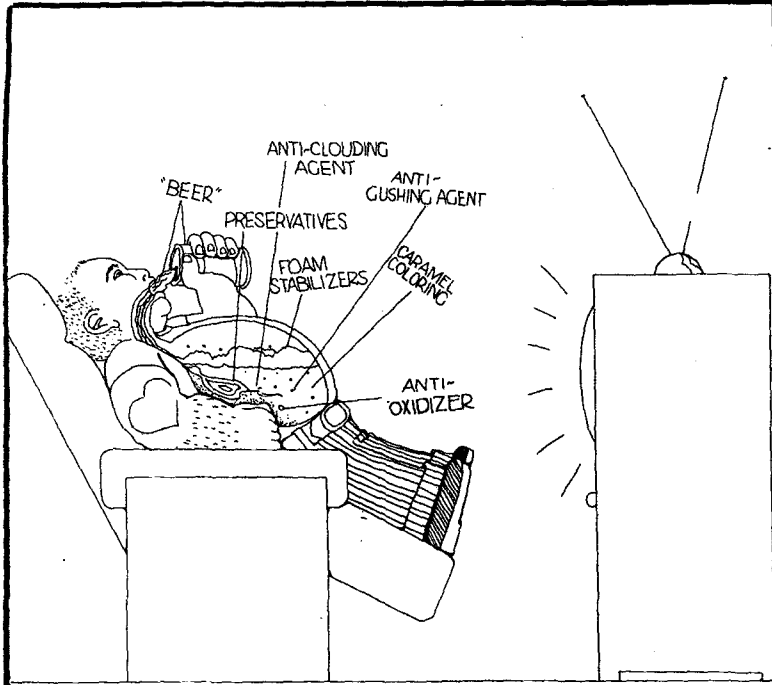
IF you are wondering where The Review is, we've lost our lease. Our benefactor, Sam Smith, has come to the conclusion that he can no longer afford the losses he has been incurring. Thus this section of The Gazette will be no more.

But before you begin cursing the economic factor, we would like to inform you of our plans for the future: a quarterly publication beginning in April, including a guide to the arts in D.C. We have a little money to begin with and hope to find other support from a variety of sources. Though the exact format is not yet determined, a quarterly Review would be longer and, we think, better. It would include our customary coverage of the performing and visual arts, a book section plus healthy doses of fiction and poetry. In this way we hope to continue what we have started - a publication for the greater Washington area which will both nurture and criticize the intellectual and cultural life here.

In the meantime, beginning February 7 at 11:30 a.m., The Review staff will present a weekly discussion of the arts on WAMU-FM.

In the next issue of The Gazette we will fill you in on more details. We would appreciate your suggestions, criticisms, manuscripts and the like. These and all announcements for forthcoming arts events should now be sent to: The Washington Review, 404 10th Street, SE, Washington, DC 20003. (544-0406). We thank you for your past support.

THE REVIEW STAFF



## P.S.

ACCORDING TO ARIZONA'S NEW TIMES, Major General R.H. Groves of the Corps of Engineers sent the following memo to subordinates:

1. I am observing a growing trend in the use of the verb 'to feel.' Please avoid its use in any paper that you may prepare for my signature. Any action that I take is supposed to be objective, emotionally sterile and totally devoid of feeling. In my official capacity, I am capable of believing and sensing, but never feeling.

2. Please see that your work for me is purged of this offensive word.

... The following program is suggested for mature audiences. Those easily disturbed or offended are urged to tune to another station. And now, we present the President of the United States speaking on the economy ...



by Edward Schwartz

EDWARD SCHWARTZ is president of the Institute for the Study of Civic Values.

Recently I was asked to write a grant proposal for a project in Pennsylvania related to adult education. After accepting the offer I discovered that the guidelines for this proposal had to conform to federal specifications. I did endure this remarkable procedure, but shortly thereafter conjured in a horrible nightmare the following letter written to Thomas Jefferson in late July 1776.

July 20, 1776

Mr. Thomas Jefferson  
Continental Congress  
Independence Hall  
Philadelphia, Pa.

Dear Mr. Jefferson:

We have read your "Declaration of Independence" with great interest. Certainly, it represents a considerable undertaking, and many of your statements do merit serious consideration. Unfortunately, the Declaration as a whole fails to meet recently adopted specifications for proposals to the Crown, so we must return the document to you for further refinement. The questions which follow might assist you in your process of revision.

1. In your opening paragraph you use the phrase "the Laws of Nature and Nature's God." What are these laws? In what way are they the criteria on which you base your central arguments? Please document with citations from the recent literature.

2. In the same paragraph you refer to the "opinions of mankind." Whose polling data are you using? Without specific evidence, it seems to us, the "opinions of mankind" are a matter of opinion.

3. You hold certain truths to be "self-evident." Could you please elaborate. If they are as evident as you claim, then it should not be difficult for you to locate the appropriate supporting statistics.

4. "Life, liberty, and the pursuit of happiness" seem to be the goals of your proposal. These are not measurable goals. If you were to say that "among these is the ability to sustain an average life expectancy in six of the 13 colonies of

at least 55 years, and to enable all newspapers in the colonies to print news without outside interference, and to raise the average income of the colonists by 10 percent in the next 10 years," these would be measurable goals. Please clarify.

5. You state that "whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute a new Government. . . ." Have you weighed this assertion against all the alternatives? Or is it predicated solely on the baser instincts?

6. Your description of the existing situation is quite extensive. Such a long list of grievances should precede the statement of goals, not follow it.

7. Your strategy for achieving your goal is not developed at all. You state that the colonies "ought to be Free and Independent States," and that they are "Absolved from All Allegiance to the British Crown." Who or what must change to achieve this objective? In what way must they change? What resistance must you overcome to achieve the change? What specific steps will you take to overcome the resistance? How long will it take? We have found that a little foresight in these areas helps to prevent careless errors later on.

8. Who among the list of signatories will be responsible for implementing your strategy? Who conceived it? Who provided the theoretical research? Who will constitute the advisory committee? Please submit an organizational chart.

9. You must include an evaluation design. We have been requiring this since Queen Anne's War.

10. What impact will your program have? Your failure to include any assessment of this inspires little confidence in the long-range prospects of your undertaking.

11. Please submit a PERT diagram, an activity chart, and an itemized budget.

We hope that these comments prove useful in revising your 'Declaration of Independence.'

Best Wishes,

Lord North



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